

HAMILTON COUNTY BOARD OF AVIATION COMMISSIONERS
OCTOBER 6, 2005

The Hamilton County Board of Aviation Commissioners met on Thursday, October 6, 2005 at 6:30 pm in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. Roll Call was taken with a quorum declared present of Tom Kapostasy, Jon Ogle, Tim Tolson and Don Silvey.

Approval of Minutes

Tolson motioned to approve the September 1, 2005 minutes. Ogle seconded. Motion carried unanimously.

Public Comments

Beals Property

Mr. Jim Beals, nephew of Josephine Beals, asked what the status is of the purchase of their land. Mr. Dan Montgomery stated an appraisal has been completed and the airport needs the back 10 acres for runway encroachment. Montgomery has not seen the appraisal. Mr. Beals stated if Mrs. Beals has a choice she would prefer not to sell the land. Mr. Beals requested copies of all documents be sent to him as well as Mrs. Beals. Kapostasy stated the process is that in order to construct the parallel taxiway we are required by the FAA to own the minimum amount of land for the clear zone. As a Board we asked our attorney to enter into discussions with the Beals for the purchase of the property. The FAA requires an appraisal then we can make an offer based on the appraisal. There are specific procedures that we have to follow. The Board does not enter into the negotiations; we have authorized our legal counsel to handle the negotiations.

Chance Aviation

Mr. Norm Chance, Chance Aviation, stated he needs to know a location of the building before they can design the building. He will be speaking with the engineers following the meeting to narrow down a site on the property.

President's Report [6:47:05]

Caito Letter

Kapostasy stated he sent a letter to Jim Caito, who owns land south of the airport, explaining to him what the airport's interest may be on the south end of the runway.

Kapostasy stated he has had inquiries from the owners of the Carr and Castor properties which are located near the airport requesting information on what the airport's future plans are

Drees Homes

Kapostasy stated he sent a letter to Drees Homes regarding the development of their property. They have responded by letter letting us know they are moving ahead with the development.

Zionsville Community Schools

Kapostasy sent a letter to Zionsville Community Schools regarding their plans to build an elementary school at the south end of the runway and he has not received a response from them.

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To date no one from the airport has received a copy of the Notice of Construction in a Noise Sensitive Area from the Zionsville Schools.

Jon Rodgers letter dated September 23, 2005 encourages the county to push harder with the schools to see if they will find another site for the school. Kapostasy asked the Board if there are additional steps they would like to take at this time beyond the letter we sent or wait for a response. Tolson stated he would wait to see if Zionsville Schools contacts us. Ogle stated included in tonight's packet was a web site article for www.avweb.com. The article cautions when studying the legalities of what an airport can and can not do, the real battle is a political battle. Politicians can come in, close the airport and sell the land. He encourages the Board to not forget the political aspects of owning an airport. The Board's consensus is to wait for a reply from Zionsville Schools.

Westfield Planning Area

Kapostasy stated he, Dan and Andrea Montgomery and Carl Winkler have attended the Westfield Planning Area quadrant meetings. There has been very strong turnout at these meetings. The residents understand the airport is there for the long-term and it is their responsibility to find a buffer between their homes and the airport. There were no specific recommendations on what the buffer should be. Kapostasy has provided the Westfield planners on what the Board would like to see in regards to an airport overlay zone, noise sensitive disclosures, etc.

Airport Overlay Zone – Hamilton County

Kapostasy stated he has reviewed the proposal of an airport overlay zone in Hamilton County as presented at the last meeting by Mr. Gillim. Mr. Murphy asked if we have received any correspondence if his specific recommendation was compatible with the statute involving noise sensitive areas and tall structures. Kapostasy stated no. Many of the state statutes already do what Mr. Gillim was recommending. Mr. Mike Evans stated he did not see anything in the document that is not already covered under statute. Dan Montgomery stated we will have our work cut out for us to create an airport overlay zone for the airport in Boone County. Kapostasy recommended this item be discussed during a pre-meeting before the November meeting. Dan Montgomery will invite Steve Niblick to attend the pre-meeting.

Committee Reports

Community and Public Relations

Marketing Study

Andrea Montgomery stated they have met with Claire from Tailored Tactics; they will be taking her to a larger general aviation airport to gather more information on aviation.

Government and Legal Relations

Master Planning Study

The county council has a \$50,000 additional appropriation before them at their October meeting for master planning for the airport. The funds should be available by the end of October.

Indianapolis Executive Airport

Third Quarter Payment

Andrea Montgomery presented the \$10,000 third quarter payment. The operating account will be under \$20,000 during this quarter. Farm income should be coming in November.

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Glideslope & Taxiway Ramp

Dan Montgomery stated the Bailey's have taken their beans out and will take out the corn next week. There should not be any problem with the crops. Bailey's are ready to swap the ground as soon as the survey stakes are moved 15' south.

Hunt Paving is moving along. There is a problem with the soil compaction, the moisture content is 20%. He will be having lime added to his soil where the hangar is being constructed but he does not have money to add lime where the ramp will be constructed. Cost estimate is \$25,000 for the soil stabilization. Woolpert recommends adding the lime and is negotiating the costs with the contractor.

All the permits have been obtained for the current construction. Boone County has a new drainage ordinance. The drainage has to be upgraded, per the Boone County Surveyor, before any new buildings can be constructed. Creakbaum stated they have semi-agreed to update the drainage plan but he has not agreed that Boone County's solution is the only solution. He is waiting for their computations before he can move forward.

North Gate

The north gate is not working and parts have been ordered, which will be paid from operating fund.

Fuel Sales

Fuel costs are up, sales have slowed. Montgomery's will keep the Board apprised of these issues.

Additional Revenue

Kapostasy stated Montgomery's are looking at user based fees. Can the airport get a portion of the excise taxes? Ogle stated he knows of no source of revenue that the airport can use. There is a possibility of a revenue stream but it would take action by the commissioners and county council. There are some economic development taxes that can be levied, if the council has the political will to do that. The other possibility is if the county council will invest in their purchase of the airport. Ogle will discuss these items with Mr. Beaver.

Kapostasy asked if the airport can request a portion of the aircraft personal property tax, which goes to the township, to use to invest in the airport? Creakbaum stated aircraft owners do not pay personal property tax; they pay excise tax which is given back to the entity where the aircraft is based.

Estoppel and Consent

Mr. Carl Winkler requested signature on an Estoppel and Consent Agreement to clear up the title work on the residence. Ogle motioned to approve. Silvey seconded. Motion carried unanimously.

Engineer's Report

Glideslope Relocation Project

Mr. Mike Evans stated the Glideslope Relocation project will be starting. IDEM requires a Notice of Intent with a fee of \$100 for a permit fee. The permit fee is a reimbursable cost of the project. Evans requested approval of the Notice of Intent. Silvey motioned to approve. Tolson seconded. Motion carried unanimously.

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Master Drainage Plan Agreement

Evans requested approval on a Professional Service Agreement with Woolpert in the amount of \$10,000, for a Master Drainage Plan. Ogle motioned to approve and pay out of Airport Capital Fund (#114). Silvey seconded. Motion carried unanimously. Ogle stated the Woolpert agreement states 15 day payment, which under government accounting is unlikely. Evans stated Woolpert understands that, this is standard contract language. Murphy stated the County Commissioners are requesting 60 days payment schedule.

Runway Safety and Glideslope Pay Requests

Evans requested approval of the Federal and State Pay Requests for the Runway Safety and Glideslope Relocation projects for AIP-12. Silvey motioned to approve. Ogle seconded. Motion carried unanimously.

Corporate Apron Invoices

Evans requested approval of the invoice from Hunt Paving in the amount of \$59,610.15 for the corporate apron project and an invoice from Woolpert in the amount of \$5,930.00 for work on this project. Ogle motioned to approve. Silvey seconded. Motion carried unanimously.

Bailey Land Survey Invoice

Evans requested approval of an invoice in the amount of \$1,560 for survey services for the Bailey land swap. Invoice is reimbursable from the FAA Grant. Ogle motioned to approve. Silvey seconded. Motion carried unanimously.

Engineering Services

Creakbaum stated the FAA is requesting the Board go through the consultant selection process for engineering services for all new airport projects. Silvey motioned to instruct the Secretary to proceed with advertising the Request for Qualifications for consulting engineers for airport projects. Ogle seconded. Motion carried unanimously.

Rule 6

Evans requested an update on where we stand on the Rule 6 requirements? Funding is needed with the January deadline approaching. Andrea Montgomery stated she has received a checklist from Woolpert and has put \$10,000 in the 2006 operating budget for Rule 6. She needs more specific information on what they are to do. Woolpert will be contacting the Montgomery's.

Surplus Property

Kapostasy stated when looking at capital spending there are two pieces of property that are outside the minimum requirement – one to the southeast of the Glideslope location and the second is the western most strip along the southwestern side. Kapostasy asked if we could sell those pieces to create funding for capital projects? Kapostasy asked if Woolpert could come back with a specific plan regarding these properties. Evans suggested this would be a topic for the master plan.

Extension of Runway

Kapostasy stated when we look at the extension of the runway from 5,500' to 7,000' is there a potential to shift 500' to the north to reduce the amount of clear zone that is south of county road 200 South or does that put us too close to SR 32 on the north side?

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Creakbaum stated you are required to have a 1,000' x 500' extended runway safety area and a 1,000' x 800' object free area. The distance from SR 32 to the end of the runway is approximately 1,100' to 1,200'. The localizer has to stay outside the object free area. Kapostasy stated even as the airport is set up today is there a way to look to the State to lower the surface of SR 32 to reduce that as object that is in the clear zone, is there a case to fund them at some time? Creakbaum stated it is not an object, the RSA is flat plain. The object free area is a flat plain. 1,000' from the runway, SR 32 does not revolve as any obstruction of any type. Lowering it would make no difference. Kapostasy asked if we owned the property north of SR 32, could it be shifted 500' north? Creakbaum stated SR 32 is in the runway protection zone. If you want to relocate SR 32 then you would have to move it outside the runway protection zone.

Noise Complaint Process

Kapostasy stated we received a letter from a homeowner complaining of the planes flying over their home repeatedly. Is there an advantage to the Board to establish a formal noise complaint process or are we better served to refer them to the FAA? Dan Montgomery stated that is the only noise complaint we have had this summer, other than during the pancake breakfast when the PT-15 was flying around. The FAA did a good job of responding to the concern. Montgomery stated he can contact the Board when he receives complaints.

Legal Counsel

Resolution BOAC10-06-05, Airport Signage

Mr. Darren Murphy introduced Resolution BOAC 10-06-05, requesting placement of airport signs within a 3 mile radius of the airport. The resolutions will be sent to Hamilton County, Boone County highway departments and INDOT. Tolson motioned to approve Resolution BOAC 10-06-05 for highway signs. Ogle seconded. Motion carried unanimously.

Bailey Property Warranty Deed and Vendor's Affidavit

Murphy stated there is an issue with the survey for the Bailey property and Hamilton County owning 15' more along Bailey's property line than the Bailey's were aware. The Bailey's want a like kind property swap, 21 acres. With the reduction in his land it was going to reduce the amount of land the Bailey's would receive. The survey is still being done to correct the problem. Murphy requested approval of a Vendor's Affidavit and Warranty Deed, with the legal description to be attached upon completion of the survey. Tolson motioned to approve. Ogle seconded. Motion carried unanimously.

Web Site Domain

Murphy stated register.com has requested a notarized copy from Eagle Creek Airport of their intention to transfer the domain name to Indianapolis Executive Airport, which he will take care of.

Board Membership

Kapostasy recommended the Board request the Hamilton County Council expand the Aviation Board to five (5) members, as state statute allows. Ogle motioned to expand the board to five members. Silvey seconded. Motion carried unanimously.

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Noise Sensitive Zone Permits

Kapostasy stated we have received two Noise Sensitive Zone Permits. Is it appropriate for the Board to make any comments to the Indiana Department of Transportation regarding our potential belief that they would be inappropriate uses or it is a permitting area and is it inappropriate to make comments? Creakbaum stated the Board has the right and should comment on these permits. Murphy stated we have to walk a fine line of making comments. This is an issue that should be brought to Mike Howard's attention and ask for a formal opinion letter to the Board. Kapostasy asked if time is of the essence? Creakbaum stated he does not know, the Board is notified out of courtesy and the Board should respond back.

Kapostasy stated he will speak with INDOT during the AAI Conference. Item will be brought back to next month's meeting.

Ehman Property

Kapostasy asked if there have been any further discussions on the Ehman property, north of SR 32? Dan Montgomery stated the property is still for sale, they are asking \$20,000 an acre. Murphy stated Mike Howard has recommended the Board ask Woolpert to come up with a plan for land acquisition on the north end of the runway so we have some idea the cost for the land acquisition. Kapostasy stated in our capital request to council we have laid out land that is set out within the clear zone to acquire. Mr. Beaver stated at the last meeting that to the opportunities where we know the land has to be acquired, we should at least begin discussions to see if people are serious. Creakbaum stated when the passing blister was installed there was an easement on the Ehman property for the power lines, that easement should go to the airport. Creakbaum will look in to it.

Secretary's Report

2006 Meeting Schedule

Silvey motioned to approve the 2006 Meeting Schedule. Ogle seconded. Motion carried unanimously.

INDOT Grant Funding Agreements

Tolson motioned to approve INDOT Grant Awards in the amount of \$3,947.37 and \$33,869.39. Ogle seconded. Motion carried unanimously.

Next Meeting – November 3, 2005. Tolson motioned to approve a 5:30 p.m. pre-meeting for discussion of an airport overlay zone for the Sheridan Airport. Silvey seconded. Motion carried unanimously.

Ogle motioned to adjourn. Tolson seconded. Motion carried unanimously.

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Present

Tom Kapostasy
Jon Ogle
Don Silvey
Tim Tolson
Darren Murphy
Larry Creakbaum
Mike Evans
Dan Montgomery
Andrea Montgomery
Carl Winkler
Norm Chance
Josephine Beals
James Beals
Kim Rauch

APPROVED

Tom Kapostasy, President

Date: _____

ATTEST

Kim Rauch, Secretary

Date: _____